

MINUTES OF MEETING
STATE OF WISCONSIN
TEACHERS RETIREMENT BOARD

Thursday, June 23, 2005

Sheraton Madison Hotel
706 John Nolen Drive
Madison, Wisconsin

BOARD PRESENT:

Suzanne Doemel, Vice-Chair
Lon Mishler, Secretary
Ted Bratanow
Michael Langyel
Dan Nerad
Dennis Panicucci
Tom Pedersen
Roberta Rasmus
David Wiltgen

BOARD NOT PRESENT:

Wayne McCaffery, Chair
Robert Shaw
James Tripp

PARTICIPATING ETF STAFF:

Eric Stanchfield, Secretary
Dave Stella, Deputy Secretary
Sari King, Administrator, Division of Retirement Services
Linda Owen, Division of Retirement Services
Diane Poole, Director, Disability Programs Bureau
Robert Weber, Chief Legal Counsel
Sharon Walk, Board Liaison

OTHERS PRESENT:

Rhonda Dunn, Executive Assistant
Linda Esser, Division of Management Services
Charlotte Gibson, Department of Justice
Audrey Koehn, Division of Retirement Services
Peg Narloch, Division of Insurance Services
Mary Pierick, Division of Insurance Services
Wendy Pink, Division of Trust Finance and Employer Services

Suzanne Doemel, Vice-Chair, Teachers Retirement Board (Board), called the meeting to order at 1:03 p.m. Ms. Doemel welcomed Michael Langyel to the Board.

CONSIDERATION OF MINUTES

Motion: Mr. Nerad moved approval of the minutes of the March 17, 2005, meeting as submitted by the Board Liaison. Ms. Rasmus seconded the motion, which passed without objection on a voice vote.

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DISABILITY STATISTICS SUMMARY REPORT

Wisconsin Retirement System (WRS) Disability Benefit Annuity Statistical Report (2005: March-April-May). Ms. Poole reviewed the report that had been provided to the Board. She noted that 83% (15 of 18) of the disability applications were approved.

Review of \$40.63 Disability Retirement Application Determinations. Ms. Poole reviewed the memo that had been provided to Board. This report was a follow-up to a request made at a previous Board meeting about gender differences. A total of 300, \$40.63 disability application determinations were reviewed. Of those, 55% (164) were female. She also noted that 64% of the WRS population are female. Only 14 of the total applications were denied. Of those, 3.7% were female and 5.9% were male. Lack of medical documentation was the primary reason for a denial. Ms. Poole will continue to report this information to the Board.

MISCELLANEOUS

Solie/Baxter Court Decision. Ms. Owen discussed the Wisconsin Supreme Court (Court) decision in *Solie and Baxter v. Employee Trust Funds Board*. The Court ruled that Ms. Solie and Ms. Baxter are eligible to have previously forfeited years of creditable service restored to their WRS accounts without cost to them. As a result of this decision, other teachers may also be eligible for this service credit. The Department of Employee Trust Funds (ETF) will be using a self-identification process to ascertain who is eligible for this credit. Board members who receive inquiries about this decision are encouraged to have the person contact the ETF Call Center.

Luann Gehin Court Decision. Assistant Attorney General Charlotte Gibson provided the Board with an overview of the Wisconsin Supreme Court decision in *Luann Gehin v. Wisconsin Group Insurance Board*, Case No. 03-0226. This case involved whether an administrative agency can rely on hearsay evidence in making factual findings when there is no corroborating live testimony. In its decision, the Court concluded that hearsay evidence cannot be the sole basis for an administrative decision where there is no live testimony. Mr. Stella indicated that the Group Insurance Board (GIB) asked ETF to identify solutions to the problem of hearsay evidence. One alternative would be an administrative rule to clarify this situation. The report to the GIB will be presented to the Board as well.

ADJOURNMENT

Motion: Mr. Pedersen moved adjournment. Mr. Wiltgen seconded the motion, which passed without objection on a voice vote.

The meeting of the Teachers Retirement Board adjourned at 1:26 p.m.

Date Approved: _____

Signed: _____

Lon Mishler, Secretary
Teachers Retirement Board